



General Assembly

February Session, 2014

Raised Bill No. 5480

LCO No. 2150



Referred to Committee on GOVERNMENT
ADMINISTRATION AND ELECTIONS

Introduced by:
(GAE)

***AN ACT CONCERNING REGISTRARS OF VOTERS, THE AUTHORITY
OF THE SECRETARY OF THE STATE AND THE STATE ELECTIONS
ENFORCEMENT COMMISSION, AND THE POSTING OF
REQUIREMENTS FOR VOTER IDENTIFICATION.***

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. Section 9-5a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) Each town shall (1) provide the registrars of voters with office
4 space, supplies and equipment, including facilities for the safe storage
5 of the official records of such registrars [Such records] of voters, and
6 (2) ensure that each registrar of voters may access the Internet and
7 correspond with the Secretary of the State using electronic mail.

8 (b) The official records of the registrars of voters of a town shall be
9 accessible to all registrars of voters in such town and [they] all of the
10 registrars of voters shall be [jointly] responsible for [their] the
11 safekeeping of such records.

12 Sec. 2. Section 9-3 of the general statutes is repealed and the

13 following is substituted in lieu thereof (*Effective from passage*):

14 The Secretary of the State, by virtue of the office, shall be the
 15 Commissioner of Elections of the state, with such powers and duties
 16 relating to the conduct of elections as are prescribed by law and, unless
 17 otherwise provided by state statute, the secretary's regulations,
 18 declaratory rulings, instructions and opinions, if in written form, shall
 19 be presumed as correctly interpreting and effectuating the
 20 administration of elections and primaries under this title, except for
 21 [chapter 155] chapters 155 to 158, inclusive, and shall be executed,
 22 carried out or implemented, as the case may be, provided nothing in
 23 this section shall be construed to alter the right of appeal provided
 24 under the provisions of chapter 54. Any such written instruction or
 25 opinion shall be labeled as an instruction or opinion issued pursuant to
 26 this section, as applicable, and any such instruction or opinion shall
 27 cite any authority that is discussed in such instruction or opinion.

28 Sec. 3. Subdivision (2) of subsection (a) of section 9-7b of the 2014
 29 supplement to the general statutes is repealed and the following is
 30 substituted in lieu thereof (*Effective from passage*):

31 (2) To levy a civil penalty not to exceed (A) two thousand dollars
 32 per offense against any person the commission finds to be in violation
 33 of any provision of chapter 145, part V of chapter 146, part I of chapter
 34 147, chapter 148, section 7-9, section 9-12, subsection (a) of section 9-17,
 35 section 9-19b, 9-19e, 9-19g to 9-19k, inclusive, 9-20, 9-21, 9-23a, 9-23g, 9-
 36 23h, 9-23j to 9-23o, inclusive, 9-23r, 9-26, 9-31a, 9-32, 9-35, 9-35b, 9-35c,
 37 9-40a, 9-42, 9-43, 9-50a, 9-56, 9-59, 9-168d, 9-170, 9-171, 9-172, 9-232i to
 38 9-232o, inclusive, 9-404a to 9-404c, inclusive, 9-409, 9-410, 9-412, 9-436,
 39 9-436a, 9-453e to 9-453h, inclusive, 9-453k or 9-453o, (B) two thousand
 40 dollars per offense against any town clerk, registrar of voters, an
 41 appointee or designee of a town clerk or registrar of voters, or any
 42 other election or primary official whom the commission finds to have
 43 failed to discharge a duty imposed by any provision of [chapter 146 or
 44 147] title 9, except chapters 155 to 158, inclusive, (C) two thousand
 45 dollars per offense against any person the commission finds to have (i)

46 improperly voted in any election, primary or referendum, and (ii) not
 47 been legally qualified to vote in such election, primary or referendum,
 48 or (D) two thousand dollars per offense or twice the amount of any
 49 improper payment or contribution, whichever is greater, against any
 50 person the commission finds to be in violation of any provision of
 51 [chapter 155 or 157] chapters 155 to 158, inclusive. The commission
 52 may levy a civil penalty against any person under subparagraph (A),
 53 (B), (C) or (D) of this subdivision only after giving the person an
 54 opportunity to be heard at a hearing conducted in accordance with
 55 sections 4-176e to 4-184, inclusive. In the case of failure to pay any such
 56 penalty levied pursuant to this subsection within thirty days of written
 57 notice sent by certified or registered mail to such person, the superior
 58 court for the judicial district of Hartford, on application of the
 59 commission, may issue an order requiring such person to pay the
 60 penalty imposed and such court costs, state marshal's fees and
 61 attorney's fees incurred by the commission as the court may
 62 determine. Any civil penalties paid, collected or recovered under
 63 subparagraph (D) of this subdivision for a violation of any provision of
 64 chapter 155 applying to the office of the Treasurer shall be deposited
 65 on a pro rata basis in any trust funds, as defined in section 3-13c,
 66 affected by such violation.

67 Sec. 4. Subsection (a) of section 9-261 of the general statutes is
 68 repealed and the following is substituted in lieu thereof (*Effective from*
 69 *passage*):

70 (a) In each primary, election or referendum, when an elector has
 71 entered the polling place, the elector shall announce the elector's street
 72 address, if any, and the elector's name to the official checkers in a tone
 73 sufficiently loud and clear as to enable all the election officials present
 74 to hear the same. Each elector who registered to vote by mail for the
 75 first time on or after January 1, 2003, and has a "mark" next to the
 76 elector's name on the official registry list, as required by section 9-23r,
 77 shall present to the official checkers, before the elector votes, either a
 78 current and valid photo identification that shows the elector's name

79 and address or a copy of a current utility bill, bank statement,
80 government check, paycheck or other government document that
81 shows the name and address of the elector. Each other elector shall (1)
82 present to the official checkers the elector's Social Security card or any
83 other preprinted form of identification which shows the elector's name
84 and either the elector's address, signature or photograph, or (2) on a
85 form prescribed by the Secretary of the State, write the elector's
86 residential address and date of birth, print the elector's name and sign
87 a statement under penalty of false statement that the elector is the
88 elector whose name appears on the official checklist. Such form shall
89 clearly state the penalty of false statement. A separate such form shall
90 be used for each elector. If the elector presents a preprinted form of
91 identification under subdivision (1) of this subsection, the official
92 checkers shall check the name of such elector on the official checklist. If
93 the elector completes the form under subdivision (2) of this subsection,
94 the registrar of voters or the assistant registrar of voters, as the case
95 may be, shall examine the information on such form and either instruct
96 the official checkers to check the name of such elector on the official
97 checklist or notify the elector that the form is incomplete or inaccurate.
98 The provisions of this subsection describing requirements for
99 identification shall be posted where the official checkers are located in
100 each polling location, in a manner prescribed by the Secretary of the
101 State.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	9-5a
Sec. 2	<i>from passage</i>	9-3
Sec. 3	<i>from passage</i>	9-7b(a)(2)
Sec. 4	<i>from passage</i>	9-261(a)

GAE *Joint Favorable*